

**PROPOSED AMENDMENTS TO
SENATE BILL 756**

1 On page 1 of the printed bill, delete lines 5 through 31 and delete pages
2 2 through 5 and insert:

3 **“SECTION 1. (1) When a registered owner renews a vehicle’s regis-**
4 **tration the owner may make a donation to the State Parks and Re-**
5 **creation Department Fund for the purpose of improving and**
6 **maintaining the state’s scenic bikeways and other bicycle and pedes-**
7 **trian facilities.**

8 **“(2) The vehicle registration renewal application form must notify**
9 **the registered owner that the owner has the option of making a do-**
10 **nation to the fund.**

11 **“(3) The Department of Transportation shall transfer donations re-**
12 **ceived under this section to the State Parks and Recreation Depart-**
13 **ment for deposit into the State Parks and Recreation Department**
14 **Fund.**

15 **“SECTION 2.** ORS 390.134, as amended by section 24, chapter 107, Oregon
16 Laws 2012, is amended to read:

17 “390.134. (1) As used in this section:

18 “(a) ‘Camper’ has the meaning given that term in ORS 801.180.

19 “(b) ‘County’ includes a metropolitan service district organized under ORS
20 chapter 268, but only to the extent that the district has acquired, through
21 title transfer, and is operating a park or recreation site of a county pursuant
22 to an intergovernmental agreement.

1 “(c) ‘Motor home’ has the meaning given that term in ORS 801.350.
2 “(d) ‘Travel trailer’ has the meaning given that term in ORS 801.565.
3 “(2) The State Parks and Recreation Department Fund is established
4 separate and distinct from the General Fund. Moneys in the fund are con-
5 tinuously appropriated to the State Parks and Recreation Department for the
6 purposes provided by law. The fund shall consist of the following:
7 “(a) All moneys placed in the fund as provided by law. Any interest or
8 other income derived from the depositing or other investing of the fund must
9 be credited to the fund.
10 “(b) All registration fees received by the Department of Transportation
11 for campers, motor homes and travel trailers that are transferred to the fund
12 under ORS 366.512. The funds must be deposited in a separate subaccount
13 established under subsection (3) of this section.
14 “(c) Revenue from charges pursuant to ORS 390.124.
15 **“(d) Donations made for the purpose of improving and maintaining
16 scenic bikeways and other bicycle and pedestrian facilities under sec-
17 tion 1 of this 2013 Act.**
18 “(3) Any moneys placed in the fund for a particular purpose may be placed
19 in a separate subaccount within the fund. Each separate subaccount estab-
20 lished under this subsection must be separately accounted for. Moneys placed
21 in a subaccount must be used for the purposes for which they are deposited.
22 “(4) All of the moneys in the fund except those moneys described in sub-
23 section (3), (5), (6), (7), (8) or (9) of this section must be deposited in a sep-
24 arate subaccount within the fund and used by the State Parks and
25 Recreation Department for the acquisition, development, maintenance, care
26 and use of park and recreation sites and for the maintenance and operation
27 of the Oregon State Fair. The moneys deposited in the subaccount under this
28 subsection must be accounted for separately and stated separately in the
29 State Parks and Recreation Department’s biennial budget.
30 “(5)(a) Thirty-five percent of the amount transferred to the State Parks

1 and Recreation Department under ORS 366.512 from the registration of travel
2 trailers, campers and motor homes and under ORS 803.601 from recreational
3 vehicle trip permits must be deposited in a separate subaccount within the
4 fund to be distributed for the acquisition, development, maintenance, care
5 and use of county park and recreation sites. The moneys deposited in the
6 subaccount under this paragraph must be accounted for separately. The fol-
7 lowing apply to the distribution of moneys under this paragraph:

8 “(A) The moneys must be distributed among the several counties for the
9 purposes described in this paragraph. The distribution shall be made at times
10 determined by the State Parks and Recreation Department but must be made
11 not less than once a year.

12 “(B) The sums designated under this paragraph must be remitted to the
13 county treasurers of the several counties by warrant.

14 “(b) The department shall establish an advisory committee to advise the
15 department in the performance of its duties under this subsection. The com-
16 position of the advisory committee under this subsection is as determined
17 by the department by rule. In determining the composition of the advisory
18 committee, the department shall attempt to provide reasonable represen-
19 tation for county officials or employees with responsibilities relating to
20 county parks and recreation sites.

21 “(c) The department, by rule, shall establish a program to provide moneys
22 to counties for the acquisition, development, maintenance, care and use of
23 county park and recreation sites. The rules under this paragraph shall pro-
24 vide for distribution of moneys based on use and need and, as the department
25 determines necessary, on the need for the development and maintenance of
26 facilities to provide camping sites for campers, motor homes and travel
27 trailers.

28 “(6) The department shall create a separate City and County Subaccount
29 within the fund to be used to reimburse cities and counties as provided in
30 ORS 390.290.

1 “(7) The department shall create a separate rural Fire Protection District
2 Subaccount to be used to provide funds for the fire protection districts as
3 provided in ORS 390.290.

4 “(8) Twelve percent of the amount transferred to the State Parks and
5 Recreation Department Fund from the Parks Subaccount shall be used only
6 to carry out the purposes and achievements described in ORS 390.135 (2) and
7 (3) through the awarding of grants to regional or local government entities
8 to acquire property for public parks, natural areas or outdoor recreation
9 areas or to develop or improve public parks, natural areas or outdoor recre-
10 ation areas. Moneys described in this subsection may not be used to pay the
11 cost of administering grants or the cost of any Secretary of State audit re-
12 quired under section 4c, Article XV of the Oregon Constitution.

13 “(9) If the amount transferred to the State Parks and Recreation Depart-
14 ment Fund from the Parks Subaccount during a biennium is more than 150
15 percent of the amount that was transferred during the 2009-2011 biennium,
16 the State Treasurer shall, during the next following biennium, deposit for
17 use as described in subsection (8) of this section the amount required under
18 subsection (8) of this section plus an amount equal to the difference between
19 the amount deposited for use as described in subsection (8) of this section
20 during the preceding biennium and 25 percent of the moneys transferred to
21 the State Parks and Recreation Department Fund from the Parks Subaccount
22 during the preceding biennium.

23 “(10) Subsections (8) and (9) of this section apply only for biennia in
24 which the Legislative Assembly does not require a greater percentage of the
25 amount transferred to the State Parks and Recreation Department Fund from
26 the Parks Subaccount to be used for the purposes described in subsection (8)
27 of this section. The Legislative Assembly may not authorize the percentage
28 of the amount transferred to the State Parks and Recreation Department
29 Fund from the Parks Subaccount that is deposited for use as described in
30 subsection (8) of this section in a biennium to be less than the percentage

1 required to be deposited under subsections (8) and (9) of this section.

2 “(11) On or before January 15 of each odd-numbered year, the director
3 shall submit a report to the Joint Committee on Ways and Means created
4 by ORS 171.555, or the Joint Interim Committee on Ways and Means, that
5 describes the measurable biennial and cumulative results of activities and
6 programs financed by moneys transferred to the State Parks and Recreation
7 Department Fund from the Parks Subaccount. Notwithstanding ORS 192.230
8 to 192.250, the director shall make the report in a form and manner as the
9 committee may prescribe.

10 **“SECTION 3.** ORS 390.134, as amended by section 2, chapter 792, Oregon
11 Laws 2007, section 47, chapter 11, Oregon Laws 2009, section 5, chapter 643,
12 Oregon Laws 2011, and section 25, chapter 107, Oregon Laws 2012, is
13 amended to read:

14 “390.134. (1) As used in this section:

15 “(a) ‘Camper’ has the meaning given that term in ORS 801.180.

16 “(b) ‘County’ includes a metropolitan service district organized under ORS
17 chapter 268, but only to the extent that the district has acquired, through
18 title transfer, and is operating a park or recreation site of a county pursuant
19 to an intergovernmental agreement.

20 “(c) ‘Motor home’ has the meaning given that term in ORS 801.350.

21 “(d) ‘Travel trailer’ has the meaning given that term in ORS 801.565.

22 “(2) The State Parks and Recreation Department Fund is established
23 separate and distinct from the General Fund. Moneys in the fund are con-
24 tinuously appropriated to the State Parks and Recreation Department for the
25 purposes provided by law. The fund shall consist of the following:

26 “(a) All moneys placed in the fund as provided by law. Any interest or
27 other income derived from the depositing or other investing of the fund must
28 be credited to the fund.

29 “(b) All registration fees received by the Department of Transportation
30 for campers, motor homes and travel trailers that are transferred to the fund

1 under ORS 366.512. The funds must be deposited in a separate subaccount
2 established under subsection (3) of this section.

3 “(c) Revenue from charges pursuant to ORS 390.124.

4 **“(d) Donations made for the purpose of improving and maintaining**
5 **scenic bikeways and other bicycle and pedestrian facilities under sec-**
6 **tion 1 of this 2013 Act.**

7 “(3) Any moneys placed in the fund for a particular purpose may be placed
8 in a separate subaccount within the fund. Each separate subaccount estab-
9 lished under this subsection must be separately accounted for. Moneys placed
10 in a subaccount must be used for the purposes for which they are deposited.

11 “(4) All of the moneys in the fund except those moneys described in sub-
12 section (3), (5), (6), (7), (8) or (9) of this section must be deposited in a sep-
13 arate subaccount within the fund and used by the State Parks and
14 Recreation Department for the acquisition, development, maintenance, care
15 and use of park and recreation sites and for the maintenance and operation
16 of the Oregon State Fair. The moneys deposited in the subaccount under this
17 subsection must be accounted for separately and stated separately in the
18 State Parks and Recreation Department’s biennial budget.

19 “(5)(a) Thirty percent of the amount transferred to the State Parks and
20 Recreation Department under ORS 366.512 from the registration of travel
21 trailers, campers and motor homes and under ORS 803.601 from recreational
22 vehicle trip permits must be deposited in a separate subaccount within the
23 fund to be distributed for the acquisition, development, maintenance, care
24 and use of county park and recreation sites. The moneys deposited in the
25 subaccount under this paragraph must be accounted for separately. The fol-
26 lowing apply to the distribution of moneys under this paragraph:

27 “(A) The moneys must be distributed among the several counties for the
28 purposes described in this paragraph. The distribution shall be made at times
29 determined by the State Parks and Recreation Department but must be made
30 not less than once a year.

1 “(B) The sums designated under this paragraph must be remitted to the
2 county treasurers of the several counties by warrant.

3 “(b) The department shall establish an advisory committee to advise the
4 department in the performance of its duties under this subsection. The com-
5 position of the advisory committee under this subsection is as determined
6 by the department by rule. In determining the composition of the advisory
7 committee, the department shall attempt to provide reasonable represen-
8 tation for county officials or employees with responsibilities relating to
9 county parks and recreation sites.

10 “(c) The department, by rule, shall establish a program to provide moneys
11 to counties for the acquisition, development, maintenance, care and use of
12 county park and recreation sites. The rules under this paragraph shall pro-
13 vide for distribution of moneys based on use and need and, as the department
14 determines necessary, on the need for the development and maintenance of
15 facilities to provide camping sites for campers, motor homes and travel
16 trailers.

17 “(6) The department shall create a separate City and County Subaccount
18 within the fund to be used to reimburse cities and counties as provided in
19 ORS 390.290.

20 “(7) The department shall create a separate rural Fire Protection District
21 Subaccount to be used to provide funds for the fire protection districts as
22 provided in ORS 390.290.

23 “(8) Twelve percent of the amount transferred to the State Parks and
24 Recreation Department Fund from the Parks Subaccount shall be used only
25 to carry out the purposes and achievements described in ORS 390.135 (2) and
26 (3) through the awarding of grants to regional or local government entities
27 to acquire property for public parks, natural areas or outdoor recreation
28 areas or to develop or improve public parks, natural areas or outdoor recre-
29 ation areas. Moneys described in this subsection may not be used to pay the
30 cost of administering grants or the cost of any Secretary of State audit re-

1 quired under section 4c, Article XV of the Oregon Constitution.

2 “(9) If the amount transferred to the State Parks and Recreation Depart-
3 ment Fund from the Parks Subaccount during a biennium is more than 150
4 percent of the amount that was transferred during the 2009-2011 biennium,
5 the State Treasurer shall, during the next following biennium, deposit for
6 use as described in subsection (8) of this section the amount required under
7 subsection (8) of this section plus an amount equal to the difference between
8 the amount deposited for use as described in subsection (8) of this section
9 during the preceding biennium and 25 percent of the moneys transferred to
10 the State Parks and Recreation Department Fund from the Parks Subaccount
11 during the preceding biennium.

12 “(10) Subsections (8) and (9) of this section apply only for biennia in
13 which the Legislative Assembly does not require a greater percentage of the
14 amount transferred to the State Parks and Recreation Department Fund from
15 the Parks Subaccount to be used for the purposes described in subsection (8)
16 of this section. The Legislative Assembly may not authorize the percentage
17 of the amount transferred to the State Parks and Recreation Department
18 Fund from the Parks Subaccount that is deposited for use as described in
19 subsection (8) of this section in a biennium to be less than the percentage
20 required to be deposited under subsections (8) and (9) of this section.

21 “(11) On or before January 15 of each odd-numbered year, the director
22 shall submit a report to the Joint Committee on Ways and Means created
23 by ORS 171.555, or the Joint Interim Committee on Ways and Means, that
24 describes the measurable biennial and cumulative results of activities and
25 programs financed by moneys transferred to the State Parks and Recreation
26 Department Fund from the Parks Subaccount. Notwithstanding ORS 192.230
27 to 192.250, the director shall make the report in a form and manner as the
28 committee may prescribe.”

29